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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

**IN RE: NATIONAL COLLEGIATE
ATHLETIC ASSOCIATION ATHLETIC
GRANT-IN-AID CAP ANTITRUST
LITIGATION**

Case No. 4:14-md-02541-CW
Case No. 4:14-cv-02758-CW

THIS DOCUMENT RELATES TO:
ALL ACTIONS

**STIPULATION AND [PROPOSED]
ORDER RESETTING SCHEDULE FOR
INJUNCTIVE RELIEF CLASS
CERTIFICATION**

**STIPULATION AND [PROPOSED] ORDER RESETTING SCHEDULE FOR INJUNCTIVE RELIEF CLASS
CERTIFICATION**

MDL No. 4:14-md-02541-CW; Case No. 4:14-cv-02758-CW

1 WHEREAS, on November 14, 2014, Consolidated Plaintiffs and *Jenkins* Plaintiffs
2 (“Plaintiffs”) filed a joint motion for injunctive relief class certification;

3 WHEREAS, on February 20, 2015, Plaintiffs filed an amended joint motion for injunctive
4 relief class certification (the “Motion”);

5 WHEREAS, on April 30, 2015, Defendants filed a joint opposition to the Motion (the
6 “Opposition”);

7 WHEREAS, the parties have previously agreed to modifications of the injunctive relief class
8 certification schedule and such modifications have been granted by the Court¹;

9 WHEREAS, Plaintiffs’ joint reply brief (the “Reply”) is currently due on May 28, 2015, and
10 Plaintiffs requested an extension of time to file the Reply until June 26, 2015;

11 WHEREAS, Defendants have agreed to Plaintiffs’ requested extension, but explicitly reserve
12 the right to challenge or object to any expert report Plaintiffs file with the Reply;

13 WHEREAS, the parties have further agreed that in the event Plaintiffs submit an expert
14 report or reports with the Reply, Defendants shall have the opportunity to depose Plaintiffs’ expert(s)
15 and file a joint brief in response to the Reply (the “Surreply”);

16 WHEREAS, the parties have further agreed that the current hearing date of July 23, 2015
17 will need to be continued;

18 WHEREAS, Defendants have advised all Plaintiffs that, because Plaintiffs did not submit an
19 expert report in support of the Motion and have not disclosed the anticipated nature and scope of the
20 expert report or reports they intend to file with the Reply, Defendants explicitly reserve the right to
21 seek an extension of the schedule set forth below if it appears necessary or appropriate to do so once
22 Defendants have reviewed Plaintiffs’ expert submissions;

23
24 ¹ See ECF No. 185 (resetting deadlines for the Opposition to February 13, 2015 and the Reply to
25 March 13, 2015, and resetting the hearing date to April 2, 2015); ECF No. 193 (resetting deadlines
26 for the Opposition to March 30, 2015 and the Reply to April 27, 2015, and resetting the hearing date
27 to May 14, 2015); ECF No. 209 (resetting deadlines for the Opposition to April 30, 2015 and the
Reply to May 28, 2015, and resetting the hearing date to June 18, 2015); and ECF No. 210 (resetting
the hearing date to July 23, 2015).

1 WHEREAS, the *Jenkins* Plaintiffs have advised all parties that they will not agree to any
2 further requests to extend the schedule for injunctive relief class certification; and

3 WHEREAS, Plaintiffs explicitly reserve the right to challenge or object to any expert
4 report(s) Defendants file with the Surreply.

5 THEREFORE, the parties agree that the schedule should be modified as follows:

6 The Reply will be due June 26, 2015;

7 The Surreply will be due on August 20, 2015; and

8 The Motion will be heard, and a further Case Management Conference will be held, on
9 October 8, 2015, or as soon thereafter as is convenient for the Court's calendar.

1 Dated: May 28, 2015

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ECF ATTESTATION

Pursuant to Civil Local Rule 5-1(i)(3), the filer of this document attests that concurrence in the filing of this document has been obtained from each of the other signatories above.

/s/ Jeffrey L. Kessler

Jeffrey L. Kessler

[PROPOSED] ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

The Honorable Claudia Wilken
United States District Court Judge